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Crl.O.P.No.12699 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL.O.P.No.12699 of 2026

1.M.Androse
S/o.Murugan

2.N.Murugan
S/o.Narayanan

3.M.Amala
W/o.Murugan

... Petitioners

vs.

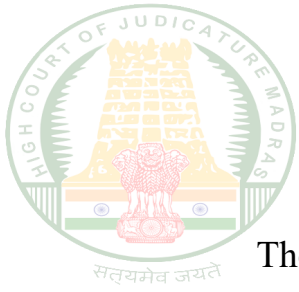
The State represented by
The Inspector of Police,
AWPS - Gingee Police Station,
Villupuram District.
(Crime No.8 of 2026)

... Respondent

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of their arrest concerned in Crime No.8 of 2026 on the file of the respondent police.

For Petitioners: Mr.R.Rajadurai

For Respondent: Mr.S.Balaji
Government Advocate (Crl. Side)



ORDER

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 332(b), 296(b), 115(2), 351(2) of BNS Act and Sections 7, 8, 9(k) & 10 of the Protection of Children from Sexual Offences Act, 2012 (equaled to BNS and IPC under Sections 450, 294, 323, 506 IPC), in connection with Crime No.8 of 2026, seek anticipatory bail.

2. The case of the prosecution is that on 04.12.2025, when the victim girl, a mentally retarded person, was alone at home, the first petitioner/A1 entered the house and committed sexual assault on her. Upon coming to know about the same, the *de facto* complainant/mother of the victim girl preferred the complaint.

3. Learned counsel for the petitioner submitted that the first petitioner and the victim girl were in love with each other and that he has been falsely implicated in this case. Learned counsel further submitted that as the petitioners 2 and 3 are parents of the first petitioner, they have also been implicated in this case. Hence, prayed for anticipatory bail.



4. Learned Government Advocate (Criminal Side) reiterated the prosecution case and would submit that the statement under Section 183 BNS of the victim girl was recorded. There are incriminating materials available as against the first petitioner. Hence, he strongly objected to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the fact that serious allegations have been made against the first petitioner and as also considering the statement of victim recorded under Section 183 BNS, investigation is also pending, this Court is not inclined to grant anticipatory bail to the first petitioner, at this stage, hence this petition is dismissed as against the 1st petitioner.

7. Considering the fact that there are no incriminating materials as against the petitioners 2 and 3 and also the fact that no previous case is pending against them, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3 on certain conditions.

8. Accordingly, the petitioners 2 and 3 are ordered to be released on bail



in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the **Special Court for**

Exclusive Trial of Cases under Protection of Children from Sexual Offences

Act, Villupuram, on condition that the petitioners 2 and 3 shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

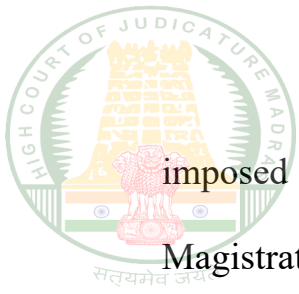
[a] the petitioners 2 and 3 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioners 2 and 3 shall report before the respondent police daily at 10.00 a.m. until further orders;**

[c] the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 2 and 3 shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2 and 3 in accordance with law as if the conditions have been



imposed and the petitioners 2 and 3 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

14.05.2026

vji / vsn

Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Special Court for Exclusive Trial of Cases under Protection of Children from Sexual Offences Act, Villupuram.
- 2.The Inspector of Police, AWPS - Gingee Police Station, Villupuram District.
- 3.The Public Prosecutor, Madras High Court.



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P.DHANABAL, J.

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